

HOW DOES A PRECINCT CAUCUS WORK?

The Amherst Town Government Act provides for 24 Town Meeting members from each of 10 precincts, plus 14 ex-officio (members of the Select Board, School Committee; Chair of the Finance Committee; President of the Jones Library Trustees; the Town Manager; and the Moderator).

Each year eight Town Meeting members are elected to three year terms. Other existing vacancies are also filled at the Annual Town Election.

Vacancies often occur after the election and the ATGA provides for filling those vacancies by certain procedures. You may be familiar with these procedures already.

The procedure I wish to cover in this article is provided for in Section 1.5422 of the Amherst Town Government Act. This is commonly known as a Precinct Caucus.

Whenever a vacancy occurs in town meeting membership which cannot be filled by means of the procedures under 1.541, or 1.5421, no fewer than 10 elected town meeting members from the precinct in which the vacancy exists may sign a petition calling for a “precinct member meeting”.

It is important to understand that the petition filed is not to nominate a candidate but to call a meeting at which any registered voter in the precinct may be elected to fill the vacancy. It would be fair to say that those filing the petition often have a candidate in mind, but all the remaining town meeting members in the precinct are notified of the meeting and may vote their own choice.

Once the Town Clerk receives a petition she is required to “promptly” notify the remaining town meeting members. Notification must be received not less than five days before the time set for the meeting. The notification must specify the purpose of the meeting as well as the time and place.

Town Meeting members may work together or individually to choose someone to fill the vacancy; a list of “candidates” is not available because there is no nomination procedure. This would occur prior to the precinct member meeting as no “campaigning” would be permitted at the meeting.

A quorum is required for a precinct member meeting and a majority of the remaining town meeting members constitutes a quorum. Only the elected town meeting members may participate in precinct member meetings; ex-officio members are not eligible even though they may live in the affected precinct.

Depending on the circumstances, i.e. the time and place of the meeting, a certain amount of latitude may be given regarding the starting time of the meeting to allow for the arrival of enough members to make a quorum.

However, most precinct member meetings are scheduled for right before the beginning of a town meeting session. Although this is a good arrangement in that it is usually easier to obtain a quorum, there is less flexibility in terms of waiting beyond the scheduled start time for a quorum to appear. This

is due to the fact that the Town Clerk is required to be available prior to the start of Town Meeting, and that Town Meeting members need to be seated once a quorum is called.

Town Meeting members are notified that if a quorum is not achieved by a certain time then the meeting will be cancelled.

There is no provision for the meeting to be adjourned or rescheduled to another date; rather the process of collecting signatures must begin again and a new meeting called.

Upon achieving a quorum the Town Clerk will call the meeting to order and will conduct the election of a Chair and a Clerk who will then preside over the meeting. Their responsibilities will be to distribute, collect, and tally ballots, and finally certify the winner of the election.

Late arrivals may vote only up until the Chair and Clerk have certified the election.

A majority of the votes cast are required for a choice. For example, if there are 10 people voting, the winning candidate must receive 6 votes or more; a majority of the votes cast. Voting would have to continue until this was achieved. There is no provision that the candidate receiving the least number of votes would be dropped, however this is essentially what would have to happen for a choice to be made.

The winning candidate would be notified of their election the next day. The candidate must accept their election in writing and be sworn in before they can be qualified as a town meeting member.

I hope this article clarifies the purpose for and process of a precinct member meeting.

Sandra J. Burgess

Town Clerk